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5 **THE HONORABLE THOMAS O. RICE**

6 **UNITED STATES DISTRICT COURT**
7 **EASTERN DISTRICT OF WASHINGTON**

8 CINDY SOUTHARD, individually and
as Personal Representative for the
9 ESTATE OF CAMERON AYERS,
10 Plaintiffs,

v.

11 KAITI WILKINS, individually, and in
her official capacity as East Wenatchee
12 Police Officer; CASSANDRA SPERLE,
individually, and in her official capacity
13 as Department of Corrections Officer;
CITY OF EAST WENATCHEE;
14 RANDY HARRISON, individually, and
in his official capacity as East
15 Wenatchee Police Chief, JOHN and
JANE DOE OFFICERS 1-5, of the East
16 Wenatchee Police Department; STATE
OF WASHINGTON, DEPARTMENT
17 OF CORRECTIONS; RICHARD
MORGAN, individually, and in his
18 official capacity as Secretary of The
Washington State Department of
19 Corrections; JOHN and JANE DOE
OFFICERS 1-5, of the Department of
20 Corrections,

Defendants.

NO. 2:17-cv-00306

STIPULATION AND
ORDER OF DISMISSAL

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OF DISMISSAL

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ATTORNEY GENERAL OF WASHINGTON
Torts Division
1116 West Riverside, Suite 100
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IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs, CINDY SOUTHARD, individually and as Personal Representative for the ESTATE OF CAMERON AYERS, acting by and through SCOTT A. VOLYN, and the Defendants, State of Washington, acting by and through Robert W. Ferguson, Attorney General, and DEREK TAYLOR, Assistant Attorney General, that the above-entitled action as to Defendants RICHARD MORGAN, CASSANDRA SPERLE and WASHINGTON STATE DEPARTMENT OF CORRECTIONS may be dismissed with prejudice and without costs, this matter having been fully settled and compromised between the Plaintiff and Defendants Richard Morgan, Cassandra Sperle and Washington State Department of Corrections.

DATED this 8th day of October, 2018.

ROBERT W. FERGUSON
Attorney General

s/Derek Taylor
DEREK TAYLOR, WSBA No. 46944
Assistant Attorney General
Attorneys for Defendants Washington
State Department of Corrections,
Cassandra Sperle, and Richard Morgan

VOLYN LAW FIRM

s/Scott A. Volyn
SCOTT A. VOLYN, WSBA #21829
Attorney for Plaintiff Cindy Southard

ORDER

THIS MATTER having come before the undersigned judge of the above-entitled Court, based on the foregoing stipulation, now, therefore,

IT IS HEREBY ORDERED That Defendants Richard Morgan, Cassandra Sperle and Washington State Department of Corrections shall be dismissed from the above-entitled action with prejudice and without costs or interest to any party.

DONE IN OPEN COURT this ____ day of October, 2018.

JUDGE THOMAS O. RICE

Presented by:

ROBERT W. FERGUSON
Attorney General
ROBERT W. FERGUSON
Attorney General

Approved as to Form and
Notice of Presentation Waived:

VOLYN LAW FIRM

s/Derek Taylor
DEREK TAYLOR, WSBA No. 46944
Assistant Attorney General
Attorneys for Defendants Washington
State Department of Corrections,
Cassandra Sperle, and Richard Morgan

s/Scott A. Volyn
SCOTT A. VOLYN, WSBA #21829
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I certify that I electronically filed this document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 8th of October, 2018, at Spokane, Washington.

s/Derek Taylor

DEREK TAYLOR, WSBA No. 46944
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